

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In application of)
Tran-Guyon et al.)
Serial No. : 10/533,377) Art Unit: 1625
Filed: November 22, 2005) Examiner: SOLOLA, Taofiq

For : HIGH PURITY PHTALEIN DERIVATIVES AND METHOD FOR
PREPARING SAME

DECLARATION UNDER RULE 132

To Honorable Commissioner of Patents and Trademarks
Washington, D.C.

Sir :

I, François SCHERNINSKI, of Laboratoires SYNTH-INNOVE, Paris, France, do solemnly declare :

THAT I am graduated in Pharmaceutical Technology (Engineer),

THAT I am a named inventor of the present patent application n°10/533,377 and that I am fully familiar therewith;

THAT I have read and understood the Office Action of November 16, 2007 in connection with the present patent application ;

THAT, the experiments described in the attached test report were carried out under my supervision;

THAT, crystals obtained by the method of claim 35 of US Serial N°10/533,377 (ADX1-26 crystals) have a complex structure, showing two mass losses at high temperatures,

THAT, crystals produced according the prior art (JT-AK-TL111 crystals), have a more simple crystalline structure, without any mass loss before fusion,

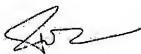
THAT, the diffraction diagram of ADXI-26 crystals and the diffraction diagram of JT-AK-TL111 crystals cannot be superimposed,

THAT, crystals obtained by the method of claim 35 of US Serial N°10/533,377 (ADX1-26 crystals) and crystals produced according the prior art (JT-AK-TL111 crystals) are thus different,

THAT, the phthaleins crystals of claims 44 to 50 are thus new over the prior art.

I, the undersigned, declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001, of Title 18, of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 11/03/2008



François SCHERNINSKI